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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/083,064	02/26/2002	Kenneth James Aubuchon	1755SPRI.90848	4650

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EXAMINER
PATEL, HEMANT SHANTILAL

ART UNIT	PAPER NUMBER
2614	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on *30 July 2008*.

2a) ☒ This action is **FINAL**.   2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1,3-14 and 32* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *1,3-14 and 32* is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some * c) ☐ None of:

    1. ☐ Certified copies of the priority documents have been received.

    2. ☐ Certified copies of the priority documents have been received in Application No. _____.

    3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

1.   Applicant's submission filed on July 30, 2008 in response to Office Action dated April 30, 2008 has been entered. Claims 1, 3-14, 32 are pending in this application. This application is transferred to another Examiner.

Response to Amendment

2.   Applicant's arguments with respect to claims 1, 3-14, 32 have been considered but are moot in view of the new ground(s) of rejection. The rejections are necessitated due to claim amendments.

Claim Rejections - 35 USC § 112

3.   Claims 1, 3-7 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Independent claim 1 recites "a communications component that conveys to the computer device logic to the computer device" (ll. 11-12). It is not clear if a communications component conveys something "to the computer device logic" or "to the computer device".

Claim Rejections - 35 USC § 102

4.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by
another filed in the United States before the invention by the applicant for patent or (2) a patent
granted on an application for patent by another filed in the United States before the invention by the
applicant for patent, except that an international application filed under the treaty defined in section
351(a) shall have the effects for purposes of this subsection of an application filed in the United States
only if the international application designated the United States and was published under Article 21(2)
of such treaty in the English language.

5.   Claims 1, 3-14, 32 are rejected under 35 U.S.C. 102(e) as being anticipated by

Doleac (US Patent No. 6,668,053 B1).

Regarding claim 1, Doleac teaches of a system for implementing a business

requirement in a telecommunications network, wherein said telecommunications

network includes at least one computing device, comprising:

a separating component (Figs. 1, 3 item 22, col. 3 ll. 40-46) that separates logic

necessary to configure the computing device (Fig. 3 item 52, col. 7 ll. 14-42) from the

business requirement (Fig. 1 item 14), wherein the business requirement necessitates a

change of at least one telecommunication service in a geographic area (col. 11 ll. 23-29

restoring service in affected area), and wherein said change impacts a plurality

subscribers associated with said telecommunications network (affecting service for all

subscribers in affected area);

a communications component (Fig. 1 item 24) that conveys to the computer

device logic to the computer device so that the computer device is able to implement

the business requirement (col. 3 ll. 65-col. 4 ll. 25); and

a command generator (Fig. 3 item 52 with item 56-60) that generates commands

that enable the computing device to implement the business requirement, said

commands being based upon the separated computing device logic (col. 8 ll. 23-col. 10

ll. 49) (col. 1 ll. 55-col. 2 ll. 15, col. 3 ll. 28-col. 24 ll. 58 for complete details).

Regarding claim 3, Doleac teaches of the system, further comprising:

a user interface providing information about said business requirement (col. 1 ll. 32-35, col. 3 ll. 35-36, col. 20 ll. 3-9 administrator displaying information, inherently suggesting use of interface to administer data or requirement, col. 11 ll. 23-29 identifying affected area or switches);

an external source of information providing information about the current state of said telecommunications network (col. 9 ll. 49-col. 10 ll. 49 the current status of switch type i.e. vendor, make, model, software type and level); and

a combining component to combine information from said user interface and from said external source of information to determine said business requirement (col. 10 ll. 13-49, col. 12 ll. 35-40, col. 13 ll. 23-36, col. 13 ll. 64-col. 14 ll. 30 determining business requirement commands based on switch types of affected switches based on priority of subscribers i.e. hospital, police or residential subscriber).

Regarding claim 4, Doleac teaches of the system, wherein said network said computing device is a telecommunications switch (col. 4 ll. 22-25, ll. 32-35).

Regarding claim 5, Doleac teaches of the system, wherein said computing device includes one ***or*** more data tables which determine the operation of said computing device (Fig. 17-20 describe various switch specific data tables for corresponding tables in the respective switches).

Regarding claim 6, Doleac teaches of the system, further comprising:

a determining component that determines the tables that need to be modified in the computing device based upon said business requirement, wherein said command

generator generates one or more commands which allow said computing device tables

to be modified to put into effect the business requirement (col. 19 ll. 45-col. 22 ll. 56).

Regarding claim 7, Doleac teaches of the system, wherein said

telecommunications network includes a plurality of computing devices, and wherein said

computing devices are of various types (col. 4 ll. 32-35), each type requiring different

logic in order to accomplish the business requirement (col. 9 ll. 49-67, col. 12 ll. 35-40,

col. 13 ll. 64-66, col. 16 ll. 10-20, ll. 30-44), wherein said command generator generates

commands that are specific to each type of computing device based on the business

requirement (col. 10 ll. 13-32, col. 12 ll. 13-40, col. 19 ll. 44-61), said system further

comprising:

a command delivery component that communicates said commands to said

computing devices (col. 3 ll. 65-col. 4 ll. 25).

Regarding claim 8, Doleac teaches of a network computer system capable of

implementing a business requirement, the network computing system comprising:

at least one computing device responsible for determining routing of data through

a network (col. 4 ll. 32-35);

a logic separation component (Figs. 1, 3 item 22, col. 3 ll. 40-46) which separates

the logic necessary to configure the computing device (Fig. 3 item 52, col. 7 ll. 14-42)

from the business requirement (Fig. 1 item 14), wherein the business requirement

necessitates a change of telecommunication services in a geographical area (col. 11 ll.

23-29 restoring service in affected area), and wherein said change impacts a plurality

subscribers associated with said telecommunications network (affecting service for all

subscribers in affected area); and

a communication component (Fig. 1 item 24) which delivers the separated

computer device logic to the appropriate computer device so that the computing device

can implement the business requirement (col. 3 ll. 65-col. 4 ll. 25) (col. 1 ll. 55-col. 2 ll.

15, col. 3 ll. 28-col. 24 ll. 58 for complete details).

Regarding claim 9, Doleac teaches of the system, further comprising:

a command component (Fig. 3 item 52 with item 56-60) which generates

commands which enable the computing device to implement the business requirement,

and wherein said commands are based upon the separated computing device logic (col.

8 ll. 23-col. 10 ll. 49).

Regarding claim 10, Doleac teaches of the system, wherein said business

requirement is based upon information from a user interface (col. 1 ll. 32-35, col. 3 ll.

35-36, col. 20 ll. 3-9 administrator displaying information, inherently suggesting use of

interface to administer data or requirement, col. 11 ll. 23-29 identifying affected area or

switches) and further based upon information about the current state of the network

computer environment (col. 9 ll. 49-col. 10 ll. 49 the current status of switch type i.e.

vendor, make, model, software type and level) (col. 10 ll. 13-49, col. 12 ll. 35-40, col. 13

ll. 23-36, col. 13 ll. 64-col. 14 ll. 30 determining business requirement commands based

on switch types of affected switches according to priority of subscribers i.e. hospital,

police or residential subscriber).

Regarding claim 11, Doleac teaches of the system, wherein said network computer environment is a telecommunication network and said computing device is a telecommunications switch (col. 4 ll. 32-35).

Regarding claim 12, Doleac teaches of the system, wherein said computing device includes one ***or*** more data tables which determine the operation of the said computing device (Fig. 17-20 describe various switch specific data tables for corresponding tables in the respective switches).

Regarding claim 13, Doleac teaches of the system, further comprising:

a table determination component which determines which tables associated with the various computing devices need to be modified (col. 19 ll. 45-col. 22 ll. 56); and

a command component which generates one ***or*** more commands which allow said computing device tables to be modified to put into effect the business requirement (col. 8 ll. 23-col. 10 ll. 49).

Regarding claim 14, Doleac teaches of the system, wherein said network computer environment includes a plurality of computing devices, and wherein said computing devices are of various types (col. 4 ll. 32-35), each type requiring a different logic in order to accomplish the business requirement (col. 9 ll. 49-67, col. 12 ll. 35-40, col. 13 ll. 64-66, col. 16 ll. 10-20, ll. 30-44), the system further comprising:

a command component which determines the appropriate commands that are specific to each type of computing device based upon the business requirement (col. 10 ll. 13-32, col. 12 ll. 13-40, col. 19 ll. 44-61); and

a communications component which conveys the determined commands to said

computing devices (col. 3 ll. 65-col. 4 ll. 25).

Regarding claim 32, Doleac teaches of a system for building commands for a

computing device in a telecommunications network to instruct the computing device on

performing a task (col. 11 ll. 23-29 restoring service), wherein the computing device

functions by having one ***or*** more tables loaded with data (Figs. 17-20 various switch

specific data tables), comprising:

a service interpreter (task coordinator) component for receiving a plurality of data

and a service identification (col. 7 ll. 20-27), wherein said service identification

corresponds to the task to be performed by the computing device (col. 10 ll. 62-63

service order type, col. 11 ll. 55-58, col. 12 ll. 13-28 commands to be performed by

switches), wherein said data is manipulated specifically for the computing device (col.

12 ll. 29-40) and wherein said service identification is used to identify the tables that

need to be loaded with said data (Figs. 17-20 descriptions, col. 11 ll. 8-20 feature type),

and wherein said task relates to a change of at least one telecommunication service in a

geographic area (col. 11 ll. 23-29 restoring service in affected area), wherein said

change impacts a plurality of subscribers of said telecommunications network (for

affected subscribers);

a command component for building an ordered text string of fields for the table,

said text string representing a row entry in the table (Fig. 27B);

at least one command builder component to build a command, said command

builder component existing for each of the tables in the computing device, said

command builder component adapted to build a command appropriate to a received

service identifier by invoking said command component (col. 7 ll. 28-col. 8 ll. 55, col. 28

ll. 53-67); and

a command factory component adapted to receive the identified tables and

provide a pointer to said command builder component (col. 7 ll. 28-col. 8 ll. 55, col. 25 ll.

17-49).

Conclusion

6.   The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure.

US Patent No. 5,875,242   Glaser

US Patent No. 5,881,131   Farris

US Patent No. 6,246,678   Erb

US Patent No. 6,778,651   Jost

7.   Applicant's amendment necessitated the new ground(s) of rejection presented in

this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37

CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to HEMANT PATEL whose telephone number is (571)272-

8620. The examiner can normally be reached on 8:00 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Fan Tsang can be reached on 571-272-7547. The fax phone number for

the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

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For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

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Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Fan Tsang/   Hemant Patel
Supervisory Patent Examiner, Art Unit 2614   Examiner
                                                                         Art Unit 2614

/Hemant Patel/
Examiner, Art Unit 2614